

Mr. Manning, S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>3/4/08</u>
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GATEWAY, INC. and GATEWAY
COMPANIES, INC.,

Plaintiff,

1:07cv6732 (CM)
ECF Case

vs.

ACS COMMERCIAL SOLUTIONS, INC.

Defendant.


JOINT STIPULATION TO STAY PROCEEDINGS

The parties in the above-captioned matter, through their respective counsel of record, hereby move and stipulate as follows:

1. The parties continue to work amicably to resolve this matter and have established a 180 day deadline to accomplish resolution of this matter.
2. The parties have determined that they can best work on an amicable resolution of this matter by staying this matter for a 180 day period.
3. Within sixty (60) days of the entry of this Joint Stipulation into the record, the parties will meet, along with their respective experts and counsel, to discuss each party's position as to liability and damages, if any.
4. Either party shall have the unilateral right to reopen proceedings at any time prior to the expiration of the 180 day deadline.
5. During the period of the stay, neither party shall be required to file any pleadings and the time periods under the Federal Rules and local rules shall not run.

6. During the period of the stay, the parties will engage in informal discovery. Either party's dissatisfaction with progress made as to informal discovery will be grounds to terminate the stay.
7. Should either party wish to terminate the stay, they shall give notice by letter to the other party and to the Court and the stay shall be lifted effective on the 5th day after receipt of the notice unless otherwise agreed by the parties or ordered by the Court.

Agreed and stipulated:


February 28, 2008

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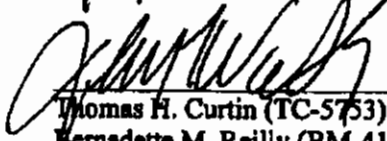
*Counsel for ACS Commercial Solutions,
Inc.*

SO ORDERED:


U.S.D.J.
3-3-2008

Agreed and stipulated:

2/28/08, 2008



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